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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/788,509	02/27/2004	Steven W. Fowkes	STFO-00200	7424
28960	7590	04/01/2005	EXAMINER	
HAVERSTOCK & OWENS LLP 162 NORTH WOLFE ROAD SUNNYVALE, CA 94086			HAMPTON HIGHTOWER, PATRICIA	
			ART UNIT	PAPER NUMBER
			1711	

DATE MAILED: 04/01/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/788,509

Applicant(s)

FOWKES, STEVEN W.

Examiner

Patricia Hightower

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 27 February 2004.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-33 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-33 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 27 February 2004 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____

Claim Rejections - 35 USC § 112

The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

Claims 1-9 and 17-25 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

In Claims 1-9 and 17-25 the applicant has used the terminology "polymer system", it is not clear what the applicant is contemplating by the use of the term "system". Is the "system" a composition, a varnish, a coating, a blend, a dispersion? Clarification is requested.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claims 1-33 are rejected under 35 U.S.C. 102(b) as being anticipated by Goto et al (USP 6,214,923).

Goto et al (USP 6,214,923) discloses a polyimide-based aqueous dispersion having very good storage stability compared to conventional aqueous dispersions, which can form polyimide-based composites with excellent transparency, water resistance, moist heat resistance, moist heat resistance, wherein the composite is formed using a precursor comprising (A) a polyimide component and (B) another

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polymer component the polyimide-based composite being characterized in that in the composite the polyimide forms a continuous phase and the other polymer forms a discontinuous phase and the elastic modulus of the composite is less than 10 Gpa.

Cols. 2-4, abstract, cols. 5-13, 15-16, 17-18, 19-22, col. 26, lines 55-67, cols. 27 -33, the examples, the claims.

At col. 4, lines 45 - col. 15, lines 28-44, 45-66, Goto teaches the concept of the (A) polyimide component includes, in addition to polyimides also components that are converted to polyimides in the process of preparing the polyimide-based composite. Thus, polyamic acids which are polyimide intermediates are also included by the (A) polyimide component, in addition, polyimides with a block structure synthesized by multistage polycondensation of a tetracarboxylic dianhydride and a diamine compound can also be suitably used for the (A) polyimide component. The (A) component is preferably soluble in organic solvents. See cols.5-13 for the reactants that the (A) component is composed, tetracarboxylic acids and aromatic, heterocyclic and aliphatic diamines that meet the components in the instant invention. At col. 13, lines 35-67, the patentee ***teaches the polyimide as component (A) may be a terminal-modified polyimide form with an adjusted molecular weight. Such a terminal-modified polyimide may be synthesized by adding a carboxylic monoanhydride (i.e., 3-hydroxyphthalic anhydride), a monoamine compound, an amino acid, a monoisocyanate compound or the like to the reaction system during synthesis of the polyamic acid.***

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Prior Art

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. Hiram et al is cited to show the state of the art of copolyamides having aromatic amide units and fibers prepared therefrom.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Patricia Hightower whose telephone number is (571) 272-1073. The examiner can normally be reached on M-F from 9:30 A.M. - 6:00 P.M.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, James Seidleck can be reached on (571) 272-1078. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).


P. Hampton Hightower
Primary Examiner
Art Unit 1711

P. Hightower: ph
March 19, 2005